

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BOBBY HUMPHRIES,

Plaintiff,

v.

ROAD COMMISSION FOR OAKLAND  
COUNTY,

Case No. 07-10805

Honorable Patrick J. Duggan

Defendant.

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**ORDER OF DISMISSAL**

At a session of said Court, held in the U.S.  
District Courthouse, City of Detroit, County of  
Wayne, State of Michigan, on July 8, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

On April 16, 2008, counsel for Plaintiff filed a Motion to withdraw. A hearing was held on counsel's Motion May 29, 2008 and pursuant to the Court's ruling at this hearing an Order was entered allowing counsel for Plaintiff to withdraw. The Order permitting Plaintiff's counsel to withdraw specifically stated that these proceedings would be stayed for thirty (30) days so that Plaintiff may seek to obtain alternate counsel to represent him or otherwise advise the Court and Defendant that he intends to represent himself.

The Order provided that, within thirty (30) days of entry of this Order, Plaintiff Bobby Humphries must do one of the following:

1. Have his counsel file a notice of appearance of counsel for Plaintiff; or
2. File a document with the Court setting forth his intention to represent himself

in this proceeding and to proceed *pro se*.

Plaintiff's counsel was directed to serve a copy of the Order upon Plaintiff.

Plaintiff's counsel has submitted a Proof of Service indicating that Plaintiff Bobby Humphries was served with a copy of the Order on June 5, 2008.

As of this date, the Court has received no communication from Plaintiff or any counsel on behalf of Plaintiff.

On July 7, 2008, Defendant filed a Motion to Dismiss. In essence, Defendant contends that because Plaintiff has not complied with the provisions of this Court's Order of May 29, 2008, Defendant is entitled to have this case dismissed pursuant to Fed.R.Civ.P. 41(b). This Court agrees.

Based on the representations of counsel for Defendant in its Motion to Dismiss, Plaintiff has not indicated any intent to further prosecute this case. Because Plaintiff has failed to comply with the Court's Order of May 29, 2008,

IT IS ORDERED that Plaintiff's Complaint is DISMISSED with prejudice.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
Rick J. Patterson, Esq.

Mr. Bobby Humphries  
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